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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

THE PEOPLE,

Plaintiff and Respondent,

v.

MYLES THOMAS BAILEY,

Defendant and Appellant.

B164540

(Los Angeles County
Super. Ct. No. TA066721)

ORDER MODIFYING OPINION

[No change in the judgment]

THE COURT*:

The opinion issued on July 15, 2004, is hereby modified.

On page 3, following the end of the first partial sentence on the page, the following sentence is added. “Appellant, a Black male, was wearing a white and black shirt and black sweat pants.”

On page 5, in the third sentence in the first partial paragraph on the page, the word “appellant” is replaced by “the Latino man in the burgundy flannel shirt.”

Also on page 5, the third sentence in the first full paragraph on the page is modified by replacing “at least two members” with “one member.”

Also on page 5, the fourth sentence in the first full paragraph on the page is modified by replacing “one of the suspects in the specified clothing” with “the suspect wearing burgundy flannel shirt described in the dispatch.”

Also on page 5, the first sentence in the last paragraph is modified by replacing “appellant” with “the Latino man in the burgundy flannel shirt.”

The first line on page 6 is modified by replacing “appellant” with “the fleeing man in the burgundy flannel shirt.”

Also on page 6, the first full sentence is modified by replacing “appellant” with “the Latino man in the burgundy flannel shirt.”

The modification requires no change in the judgment.

* Rubin, Acting P.J.

Flier, J.

Boland, J.